

Amendment No. 1 to SB3900

**Cooper
Signature of Sponsor**

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 3900*

House Bill No. 4032

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 50-6-208 is amended by adding the following new subsection thereto:

(i) The terms 'party' or 'parties', as referenced in Section 50-6-204(d)(5), shall include the second injury fund.

SECTION 2. Tennessee Code Annotated, Section 50-6-238(d)(1), is amended by deleting the first sentence of such subdivision in its entirety and by substituting instead the following:

In addition to any other penalty provided by law, if an insurer, self-insured employer, uninsured employer, or self-insured pool fails to comply with an order issued by a specialist within fifteen (15) calendar days of receipt of the order, the commissioner of labor and workforce development shall assess a penalty in the amount of ten thousand dollars (\$10,000).

SECTION 3. Tennessee Code Annotated Section 50-6-201 is amended by adding the following new subsection thereto:

(c) Within thirty (30) calendar days of the notice of injury, the insurer, employer, or self-insured pool or trust shall file with the department, on a form prescribed by the department, a wage statement detailing the employee's wages for the previous fifty-two (52) weeks, unless the employer stipulates that the maximum weekly workers' compensation rate applies in the particular matter. In the event the insurer, employer, or self-insured pool or trust knowingly and intentionally fails to timely file the wage statement, a workers' compensation specialist may deem the employee's compensation rate to be the maximum workers' compensation rate effective on the date of injury. This subsection shall apply only to accidents that result in death or personal injury of such a

nature that the injured person either does not return to such person's employment within seven (7) days after the occurrence of such accident or has a permanent impairment resulting from such accident.

SECTION 4. Tennessee Code Annotated, Section 50-6-234(d), is amended in the first sentence by deleting the language "the parties agree to waive the holding of a benefit review conference;".

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.